

RESOLUTION

A RESOLUTION FOR THE LAKE DRIVE ALTERNATIVE SELECTION PURSUANT TO
THE BROOKSIDE FARM PROFFER STATEMENT, ITEM III.C

WHEREAS, on September 1, 1998, the Brookside Farm project (formerly Waterfield) was rezoned to a Planned Residential Development (PRD), and on May 20, 2002, the Brookside Farm PRD Revised Rezoning Proffer Statement was approved; and

WHEREAS, the Brookside Farm PRD Revised Rezoning Proffer Statement (III.C.2) allowed the final decision regarding design for the Lake Drive extension and project interconnections to be made at or prior to the final construction plan/final plat stage and shall not be considered a substantial deviation from the Concept Development Plan requiring amendment; and

WHEREAS, the Brookside Farm Developer and the Board of Supervisors agreed in 2002 that the selected option shall not effectively isolate one portion of the "Entire Project" from the others; and

WHEREAS, the Board of Supervisors approved by resolution on December 16, 2002 an option which prohibited the Lake Drive extension from directly intersecting with the Brookside Parkway; and

WHEREAS, due to engineering, environmental, and safety constraints the Developer has provided a refined Lake Drive alignment and associated street network as part of the construction plan for Brookside Parkway and Phases 12, 13 and 15, which together are considered to be an improvement to and in substantial conformance with the Concept Development Plan and preliminary alignments approved in 2002; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 18th day of February 2010, That it approves the design presented as Exhibit 1 (Lake Drive & Associated Street Network) to this agenda item for Lake Drive and its associated street network in Phases 12, 13 & 15, including a realignment of the Brookside Parkway and intersections on the North side of Brookside Parkway with Brittle Ridge Road and Millside Lane; and be it

RESOLVED FURTHER, That the Brookside Farm streets that intersect Lake Drive, opposite ~~the~~ Mallard ~~Court~~ and Wintergreen Courts ~~s-intersections with Lake Drive,~~ will continue to be restricted in their length and precluded from having any bridge crossing access across the wetlands ~~to the south to the balance of that new residential development,~~ as shown in Option 1 of the resolution approved on December 16, 2002; and be it

RESOLVED FINALLY, That the following be accomplished:

1. *Additional Speed Limit and Stop Signs.* VDOT is requested to retain and/or place additional posted speed limit signs for 25 mph or less along existing Lake Drive from its intersection

with Riley Road to Wintergreen Court, as well as along the remainder of the planned extension of Lake Drive beyond Wintergreen Court once it is constructed (which construction may occur in phases). VDOT is also requested to install all way stop signs at the existing intersections of Lake Drive & Mallard Court and Lake Drive & Wintergreen Court. Final placement of these signs will be as approved by VDOT;

2. *Lake Drive & Riley Road Intersection Improvements.* When construction plans for Brookside Farm Phases 10 and 11 are submitted to and approved by ESI for submittal to the County, and when adequate funding is or becomes available in accordance with this paragraph, County staff is directed to commence, in conjunction with the Developer and VDOT, the engineering plans and resulting construction of a left turn lane for southbound traffic on Riley Road turning into Lake Drive. As determined by Fauquier County, the engineering plans and resulting construction of these improvements will be completed by: (a) the Developer at its option; or (b) Fauquier County, either through VDOT or County selected contractors.

It is noted that this turn lane and any essential line of sight and grading improvements (including utility relocation) may or may not be completed within the existing right-of-way for Riley Road, and that any additional right-of-way or easement acquisition required to complete these improvements shall be coordinated and completed by the County.

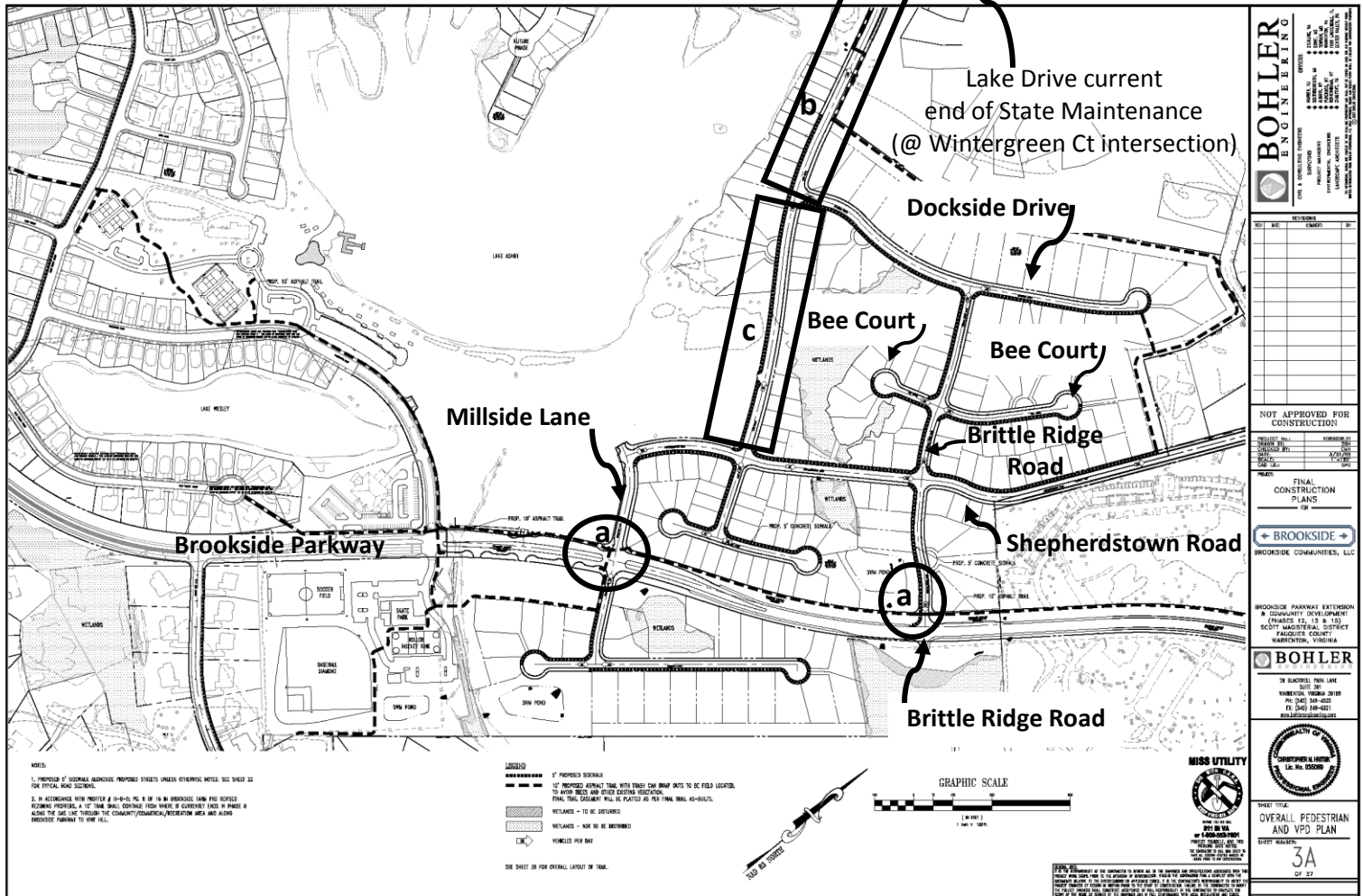
These improvements, including any associated right-of-way acquisition, easement acquisition and utility relocation, will be funded through the New Baltimore transportation escrow funds in combination with VDOT revenue-share grant funding (if available), and/or in combination with proffer funds *advanced* to its transportation escrow fund from the Developer at its option. The County and the Developer are not obligated in any manner to fund these improvements except through the transportation proffers, in combination with VDOT revenue-sharing grant funding;

3. *Construction Phases 12, 13 & 15.* The County, VDOT, and the Developer will work diligently to limit construction traffic on Shepherdstown Road, existing Lake Drive and Lake Drive extended from the existing intersection with Wintergreen Court to its proposed intersection with Dockside Drive (noted as (b) on attached Exhibit 1), including heavy equipment, pursuant to Brookside Farm PRD ~~PRD~~ Revised Rezoning Proffer Statement (III.C.1);
4. *Street Network and Lot Layout Approval.* Exhibit 1 identifies the approved street network and general alignments (as may be adjusted during final engineering and construction) of Brookside Parkway and all streets in Phase 12, 13 & 15, as well as general lot layout, which are together hereby deemed to be in substantial conformance with the approved project Concept Development Plan and Preliminary Plan. In addition, the following conditions apply to the development of these streets:
 - a) Two intersections are allowed on the North side of Brookside Parkway in Phases 12 & 13, at the proposed Millside Lane and Brittle Ridge Road (noted as (a) on attached Exhibit 1);

- b) Lake Drive beyond the point where existing state maintenance currently ends to its intersection with Dockside Drive (noted as (b) on attached Exhibit 1) may be designed and constructed but must be gated closed and may ~~ean~~ not be open to public use until such time as the following conditions exist or until other less stringent conditions are subsequently approved by the Board of Supervisors: i) Brookside Parkway has been completed with a two-lane section from its current ~~ending to its~~ terminus to the planned intersection of Brookside Parkway and Brittle Ridge Road near the Vint Hill property boundary, with bonding to ensure its extension to the Brookside/Vint Hill property boundary with Kennedy Road, and ii) certificates of occupancy have been issued for ~~the construction of seventy (70)% of the~~ homes constructed in Phases 12 and 13, ~~unless other conditions are subsequently approved by the Board of Supervisors~~; and,
- c) Lake Drive from its proposed intersection with Dockside Drive to Shepherdstown Road extended (noted as (c) on attached Exhibit 1), is approved for final design and reserved as a future extension until such time as the Developer determines that market conditions and/or existing traffic volumes warrant its construction. However, the County and VDOT retain the ability to require the construction of this portion of Lake Drive in the event future traffic volumes warrant its completion prior to the Developer commencing construction.

Exhibit 1: Lake Drive & Associated Street Network

February 2010



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